The Honorable Marsha J. Pechman 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 Case No. 2:20-cv-1309-MJP MICHELLE J. KINNUCAN, 10 Plaintiff, STIPULATED MOTION AND [PROPOSED] ORDER SETTING 11 CROSS-BRIEFING SCHEDULE v. 12 NATIONAL SECURITY AGENCY, et al., NOTED FOR CONSIDERATION: August 13, 2024 13 Defendants. 14 15 16 17 STIPULATED MOTION FOR CROSS-BRIEFING SCHEDULE Following the recent status conference and pursuant to LCR 7(k) the parties hereby jointly 18 19 agree and stipulate to the following cross-motion summary judgment briefing schedule for 20 resolving the remaining issue in this case, i.e., whether volumes I and II of the House 21 Appropriations Committee (HAC) Report are congressional documents or NSA records subject 22 to FOIA. The parties respectfully request that this Court enter the following schedule.

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| <u>Event</u>  |   | <b>Proposed Deadline</b>   |  |
|---|---|--|--|
| NSA's Motion for Summary Judgment   |   | August 14, 2024  |  |
| Kinnucan's Combined Opposition and Cross-Motion for Summary Judgment  |   | September 13, 2024   |  |
| NSA's Combined Opposition and Reply in Support of Summary Judgment  |   | September 27, 2024   |  |
| Kinnucan's Reply  |   | October 11, 2024   |  |
| IT IS SO STIPULATED, THROUGH DATED this 13th day of August, 202 TESSA M. GORMAN United States Attorney  | 4.  | RIGHT TREMAINE LLP   |  |
| s/ Katie D. Fairchild  KATIE D. FAIRCHILD, WSBA # 47712 Assistant United States Attorney United States Attorney's Office 700 Stewart Street, Suite 5220 Seattle, Washington 98101-1271 Phone: 206-553-7970 Fax: 206-553-4067 Email: katie.fairchild@usdoj.gov | CAESAR<br>DAVID N<br>920 5th As<br>Seattle, W<br>Phone: (20<br>Fax: (206)<br>Email: cae | Kalinowski IV KALINOWSKI IV, WSBA #5265 ORDLINGER, WSBA #59545 venue, Suite 3300 A 98104-1610 06) 622-3150 757-7700 ssarkalinowski@dwt.com vidnordlinger@dwt.com |  |
| Attorneys for Defendants  | 505 Montg   | Thomas R. Burke* 505 Montgomery Street, Suite 800 San Francisco, CA 94111-6533 Telephone: (415) 276-6500 Fax: (415) 276-6599                                     |  |
| I certify that this memorandum contains 103 words, in compliance with the Local Rules   | Telephone Fax: (415)  |  |  |
|   | Email: tho<br>*pro hac v  | masburke@dwt.com<br>vice   |  |
|   | Attornevs   | for Plaintiff Michelle J. Kinnucan   |  |
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| 1  | ORDER   |  |
|----|---|--|
| 2  | IT IS SO ORDERED.                                     |  |
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| 4  | Dated this 14th day of August, 2024.                  |  |
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| 7  | Marshy Relens   |  |
| 8  | MARSHA J. PECHMAN United States Senior District Judge |  |
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